



**Pacific Gas and  
Electric Company**

**Christopher J. Warner**  
Chief Counsel  
Corporate and Regulatory

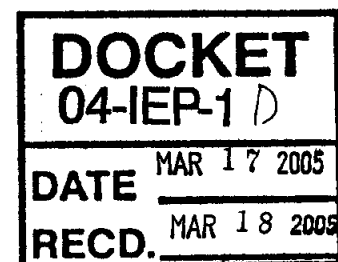
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March 17, 2005

**EXPRESS MAIL AND  
EMAIL**

Docket Office  
California Energy Commission  
Attn: Docket 04-IEP-01-D  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512



Re: Appeal of Executive Director's Decision on February 2, 2005,  
Application for Designation of Confidentiality – Electricity Demand Forecast Data,  
Docket No. 04-IEP-01-D

Dear Docket Office:

On February 2, 2005, Pacific Gas and Electric Company (PG&E) filed Electricity Demand Forecast forms 1.3, 1.4, 1.5, and 1.6 with the California Energy Commission (Energy Commission) for use in the 2005 Integrated Energy Policy Report (IEPR) proceeding. As part of that filing, PG&E also submitted an application seeking confidentiality for certain of the information submitted. On March 3, 2005, the Executive Director issued his Decision approving the confidentiality designation in part and rejecting it in part.

PG&E appreciates and agrees with the reasoning and conclusions of the Decision regarding granting confidentiality for certain parts of our February 2, 2005, filing. However, pursuant to 20 California Code of Regulations §2505(a)(3)(B) we respectfully appeal one aspect of the Decision which rejected confidentiality for the information regarding coincident peak demand in form 1.3 and the distribution area peak demand in form 1.4. The Decision notes the distinction between information from which hourly peak net short forecasts could be derived and information that only provided annual peak demands. We appreciate the recognition of the commercially-sensitive hourly information. However, contrary to the reasoning of the Decision, annual peak demands are also commercially sensitive. The hourly data disclose net short energy needs. The annual peak demands, when combined with the supply data provided in our March 1, 2005, filing, disclose net short capacity needs at peak. PG&E participates in the market to procure firm capacity to fill its annual peak needs, thereby making peak needs commercially-sensitive information, especially given the increased emphasis on resource adequacy under orders of the California Public Utilities Commission and California's Energy Action Plan.



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For these reasons, PG&E requests that the Energy Commission grant this appeal of the Decision's conclusion that peak demands should be non-confidential information as derivable from Forms 1.3 and 1.4. PG&E intends to discuss this matter informally with the Commission staff in the hope that the Decision can be clarified without the need for the full Commission to consider this appeal. In the event we receive this clarification we would withdraw this appeal. If you or your staff have any questions regarding this appeal, we would be pleased to discuss it with your further. Thank you for your consideration of this appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Christopher J. Warner'.

Christopher J. Warner

CJW/mw

cc: Hon. John Geesman  
Robert L. Therkelsen  
Kevin Kennedy  
Fernando De Leon  
Les Guliasi  
Kathleen Treleven  
Tim Mason